

STATE OF UTAH PLAN APPROVAL
RCRA PART B PERMIT
CHEMICAL AGENT MUNITIONS DISPOSAL SYSTEM (CAMDS)

Permittee:

United States Department of the Army - Deseret Chemical Depot
Tooele County, Utah

State/EPA I.D. Number: UT5210090002

Pursuant to the Utah Solid and Hazardous Waste Act, 19-6-101, et. seq., Utah Code annotated, 1953, as amended, and the rules promulgated by the Utah Solid and Hazardous Waste Control Board (Control Board), codified in the Utah Administrative Code R315 (R315), and pursuant to the Solid Waste Disposal Act (42 U.S.C. 3251 et. seq.), as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901 et. seq., RCRA) and the Hazardous and Solid Waste Amendments of 1984 (HSWA), a permit is issued to the United States Department of the Army, Deseret Chemical Depot (hereafter called the Permittee), to operate a hazardous waste treatment and storage facility located on State Highway 36 in Tooele, Utah, at latitude 40° 18' 00" North and longitude 112° 20' 00" West.

The Permittee shall comply with all terms and conditions of this permit and of Attachments volumes 1 through 20. The Permittee must comply with all applicable State rules, including R315-1 through R315-14, R315-50, R315-101, and as specified in the permit.

Applicable state rules are those which are in effect on the date of final administrative action of this permit and any self-implementing statutory provisions and related rules which, according to the requirements of HSWA, are automatically applicable to the Permittee's hazardous waste management activities, notwithstanding the conditions of this permit.

This permit is based upon the administrative record, as required by R315-3-24(d). The Permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the Permittee's misrepresentation of any relevant facts at any time, shall be grounds for the termination or modification of this permit, the initiation of an enforcement action, including criminal proceedings, or any combination of these remedies. The Permittee must inform the Executive Secretary for the Utah Solid and Hazardous Waste Control Board (Executive Secretary) of any deviation from the permit conditions or changes in the information on which the application is based which would affect the Permittee's ability to comply, or actual compliance with the applicable regulations or permit conditions or which alters any condition of this permit in any way. The Executive Secretary shall enforce all conditions of this permit which are designated in this permit as State requirements. Any challenges of any permit condition that concern State requirements shall be appealed to the Utah Solid and Hazardous Wastes Control Board in accordance with the Utah Code Annotated.

The United States Environmental Protection Agency (Agency) shall issue a separate permit based on federal regulations promulgated under HSWA, that have not yet been adopted by the State of Utah and have not been included in the State's authorized program. The Agency shall maintain an oversight role of the State authorized program and in such capacity shall enforce any permit condition based on State requirements if, in the Agency's judgement, the Executive Secretary should fail to enforce that permit condition, except that in no case shall the Agency enforce any permit condition designated as a State requirement only and a permit condition that the Agency has determined to be broader in scope than the federal RCRA regulations (i.e., there is no federal counterpart to the State rule). Any challenges to the Agency enforced conditions shall be appealed to the Agency in accordance with 40 Code of Federal Regulations (CFR), Section 124.19.

This permit is effective as dated and shall remain in effect for ten (10) years, unless revoked and reissued [pursuant to R315-3-15(a) or (b)] or terminated [pursuant to R315-3-16] or continued in accordance with R315-3-11(d).

Original Document Signed

September 24, 1999

Dennis R. Downs
Executive Secretary
Utah Solid and Hazardous Waste
Control Board

Date